

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF MISSISSIPPI  
ABERDEEN DIVISION

16 FRONT STREET LLC and  
C. RICHARD COTTON

PLAINTIFF

V.

CIVIL ACTION NO. 1:14CV183-SA-DAS

MISSISSIPPI SILICON, LLC

DEFENDANTS

ORDER

This matter came before the court on motion of Gary C. Rikard, in his official capacity as Executive Director of the Mississippi Commission of Environmental Quality, for additional time to respond to the plaintiffs' amended complaint and file defensive motions (# 75). Also before the court is the motion of Mississippi Silicon for Leave to File a supplemental memorandum in response to the plaintiffs' motion for a preliminary injunction, in light of the plaintiff's amended complaint (#78). At argument on the motions, the plaintiffs, Rikard, and the proposed intervenor, Nucor Steel Decatur, LLC, moved *ore tenus* for leave to file a supplemental brief in response to Mississippi Silicon's supplement.

Having considered the motions, responses, and the argument of counsel, the court finds the motions should be granted and that briefing deadlines should be set in this matter.

IT IS ORDERED as follows:

1. The hearing on the motion for a preliminary injunction will be continued to May 8, 2015 to be held at the United States Courthouse in Greenville, Mississippi, beginning at 1:00 p.m.
2. Gary C. Rikard shall submit his response and brief related to the plaintiffs' motion for preliminary injunction no later than March 23, 2015. The response and brief shall address the

issues surrounding subject matter jurisdiction raised in the court's order of November 7, 2014 [Docket Entry 35].

3. Any response to Rikard's motions, responses, or briefs shall be filed by April 6, 2015.
4. Rikard shall file any reply brief by April 13, 2015.
5. Mississippi Silicon's motion to file a supplemental brief is hereby granted. Because the supplemental brief was attached as an exhibit to the motion, all other parties (and the proposed intervenor) may file responses to this additional brief no later than March 23, 2015 and any reply is due no later than March 30, 2015.<sup>1</sup> Except for that allowed within this order, the court will not consider any additional briefing on the issues now before the court.

Should the court deny the motions to dismiss, Rikard's answer to the amended complaint will be due within seven days of the court's order.

SO ORDERED this the 2<sup>nd</sup> day of March, 2015.

/s/ David A. Sanders  
UNITED STATES MAGISTRATE JUDGE

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<sup>1</sup> The clerk of the court is directed to docket Exhibit 1 to motion docket 78 as a separate entry as titled.